

INDICTMENT
SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X
THE PEOPLE OF THE STATE OF NEW YORK

-against-

IND. # 1337/2015

X. ERIC VAINER,
X. POLINA VAINER,
X. IGOR MARMULEVSKIY,
X. MELISSA GONZALEZ,
X. SHAWN MAYO,
X. KIRILL SHAKHOV,
X. MARINA VARGAS,
X. HENRY SARDAR,
X. SUSAN NUTAKOR-DOH,
X. TAESOO KIM,
X. HODA ABDELAZIZ,
X. DAVID GLASS,
X. YELENA KORSUNSKAYA,
X. BENNY OGOREK,
X. AVIA JACKSON,
X. SIMEON ISAACS,
X. NEEMAN GHUMAN,
X. HERBERT MEADOW,
X. MATTHEW JORDAN,
X. RENEE DENOBRAGA,
X. JOSEPH GROSSMAN,
X. ABDUL Q. MALIK,
X. BERNARD RORIE,
X. ASSIST MEDICAL SUPPLIES, CORP.,
X. T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL
SUPPLY,
X. NED MGMT. CORP.,
X. NYC PODIATRY P.C.,
X. COMMUNITY MEDICAL DISORDER P.C.,
X. HYLAN BOULEVARD PHYSICAL MEDICINE
AND REHABILITATION, PLLC,
X. TREATING PHYSICIAN MEDICAL CARE P.C., and
X. THE CENTER FOR SURGERY DBA NEW YORK
VEIN CENTER, LLC,

NON-ALIGNED
HEALTH CARE
FRAUD UNIT,
FRAUDS BUREAU,
INVESTIGATIONS
DIVISION

DEFENDANTS.

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At all times relevant to this Indictment:

COUNT ONE

THE GRAND JURY OF THE COUNTY OF KINGS, by this Indictment, accuses the defendants **ERIC VAINER, POLINA VAINER, IGOR MARMULEVSKIY, MELISSA GONZALEZ, SHAWN MAYO, KIRILL SHAKHOV, MARINA VARGAS, HENRY SARDAR, SUSAN NUTAKOR-DOH, TAESOO KIM, HODA ABDELAZIZ, DAVID GLASS, YELENA KORSUNSKAYA, BENNY OGOREK, AVIA JACKSON, SIMEON ISAACS, NEEMAN GHUMAN, HERBERT MEADOW, MATTHEW JORDAN, RENEE DENOBREGA, JOSEPH GROSSMAN, ABDUL Q. MALIK, BERNARD RORIE, ASSIST MEDICAL SUPPLIES, CORP., T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY, NED MGMT. CORP., NYC PODIATRY P.C., COMMUNITY MEDICAL DISORDER P.C., HYLAN BOULEVARD PHYSICAL MEDICINE AND REHABILITATION, PLLC, TREATING PHYSICIAN MEDICAL CARE P.C., and THE CENTER FOR SURGERY DBA NEW YORK VEIN CENTER, LLC** of the crime of ENTERPRISE CORRUPTION, in violation of Penal Law Section 460.20 (1) (a), committed as follows:

The defendants, acting in concert, in Kings County and elsewhere, from on or about October 1, 2012 to on or about September 30, 2014, having knowledge of the existence of a criminal enterprise, namely, the Vainer Health Care Fraud Enterprise, and the nature of its activities, and being members of and associated with that criminal enterprise by participating in a pattern of criminal activity, did intentionally conduct and participate in its affairs by participating in a pattern of criminal activity.

The Vainer Health Care Fraud Enterprise was a group of persons, including the defendants, and others known and unknown to the Grand Jury, sharing a common purpose of engaging in criminal conduct, associated in an ascertainable structure distinct from a pattern of criminal activity, and with a continuity of existence, structure and criminal purpose beyond the scope of individual criminal incidents.

Introduction

The Vainer Health Care Fraud Enterprise (the “Enterprise”) earned a vast amount of money through its fraudulent operation of medical clinics and the submission of fraudulent claims to Medicaid, Medicaid-managed health care organizations, and Medicare. The Enterprise defrauded these medical insurers by recruiting insurance recipients, and then billing and receiving payment for medically unnecessary visits, tests, procedures, and durable medical equipment (“DME”).

Eric Vainer (“Vainer”) owned and operated numerous entities that controlled or were affiliated with medical clinics associated with the Enterprise. The purpose of these entities was to fraudulently bill Medicaid, Medicaid-managed health care organizations, and Medicare. Specifically, Vainer was the owner and manager of medical clinics located at 721 Flushing Avenue and 741 Flushing Avenue in Brooklyn, and 953 Southern Boulevard in the Bronx. Vainer also was associated with another Brooklyn medical clinic located at 1396 Myrtle Avenue, and one in the Bronx located at 471 East Tremont Avenue. In addition, Vainer was the chief executive officer of Assist Medical Supplies (“Assist Medical”), a DME company, and the president and owner of Ned Mgmt. Corp. These entities were located at 67 35th Street, #2, in Brooklyn (the “Warehouse”).

Under the guise of operating legitimate health care clinics that perform necessary and valuable medical tests and treatment, members of the Enterprise worked together to process inflated numbers of patients and falsify medical records for the purpose of fraudulently billing and then receiving payments from Medicaid, Medicaid-managed health care organizations, and Medicare for medically unnecessary and frequently costly treatments. Members of the Enterprise recruited patients by circulating in low income communities to lure Medicaid and Medicare clients to corrupt clinics with the promise of free footwear. Once one of the recruiters was successful in luring a client, the recruiter obtained the client's insurance card, contacted an employee in one of the clinics to ascertain whether the card was valid, and, if so, transported the client to a clinic controlled by the Enterprise. Generally, the recruited client's initial visit was with a podiatrist who performed a cursory examination. The clinic would then provide the client with footwear and additional DME, such as an ankle brace or orthotic insole.

After, the client was frequently referred for a battery of other medically unnecessary tests and procedures, including vein tests, pain management evaluations, physical therapy, cardiograms, and psychotherapy, with other members of the Enterprise. The purpose of performing these tests and procedures was to enable the Enterprise's medical specialists to bill for their "services." To augment the medical billings, Vainer and his mother Polina Vainer operated a DME business, T.W. Capital d/b/a West 5th Medical Supply, which worked hand-in-glove with the corrupt clinics to defraud Medicaid, Medicaid-managed health care organizations, and Medicare.

From October 1, 2012 through September 30, 2014, Medicaid, Medicaid-managed health care organizations, and Medicare paid the Enterprise over \$6.9 million.

Overview of the Medicaid and Medicare Programs

Medicaid was a government program that provided medical goods and services to individuals and families who met certain eligibility criteria, most notably, low or no income. In general, Medicaid providers billed Medicaid for medically necessary goods and services that were provided to Medicaid beneficiaries. Billings were required to follow Medicaid protocols, standards and schedules and were required to describe the medical diagnoses and treatments provided. In traditional Medicaid fee-for-service, the provider directly billed and was paid by Medicaid. Upon receipt of providers' bills, Medicaid had the ability to review the bills for facial validity; but, generally, Medicaid relied upon the honesty of providers and beneficiaries. Medicaid managed care, which was a variation of Medicaid, rather than paying providers directly as in the fee-for-service model, shifted the direct costs of the beneficiary's medical care to a managed care organization (also called a health maintenance organization ("HMO")). With this model, Medicaid paid only for the beneficiary's health insurance premiums; the medical provider was billed and paid by the managed care organization. Bills sent by providers to Medicaid managed care organizations and to other health insurance plans, such as Medicare, generally followed procedures similar to procedures followed by the Medicaid program.

In New York State, the New York State Department of Health ("DOH") exercised overall supervision and management of the Medicaid program. DOH was also responsible for supervising the State's local social and human services agencies, including the New York City Human Resources Administration ("HRA"), which participated in administering Medicaid. Medical providers who chose to enroll in

Medicaid had to follow requirements issued by DOH and Medicaid, in addition to federal law. In particular, the Medicaid Provider Manual and its updates detailed providers' duties and responsibilities, the rules governing the provision of care to Medicaid beneficiaries, and billing instructions, procedure codes, and fee schedules. To bill and receive payments from Medicaid, a provider was required to complete a detailed application process and was required to specifically agree to comply with the rules, regulations and official directives of the Medicaid program. Providers filed regular certifications acknowledging that the provider had read the Medicaid Provider Manual and had fully complied with Medicaid's rules and regulations. Providers were required to specifically attest that "all statements made hereon are true, accurate and complete to the best of my knowledge" and that "no material fact has been omitted."

Among the practices prohibited by Medicaid were false statements and false claims, including claims for medically unnecessary care or undelivered care. Additionally, bribes and kickbacks, in cash or in kind, by medical providers to beneficiaries were explicitly prohibited by the New York State Social Services Law. It was professional misconduct for any health care professional to engage in this behavior.

Medicare was a federal health insurance program for senior citizens aged 65 and older administered by the Centers for Medicare and Medicaid Services, a division of the United States Department of Health and Human Services. The program had a standard benefit package that covered medically necessary care that members could receive from nearly any hospital or doctor in the country who participated in the Medicare program. "Participating" providers took "assignment," meaning that they accepted Medicare's approved rate for their services as payment in full.

There were four different parts (A, B, C and D) to the Medicare program: Parts B and C were relevant to the Enterprise's criminal activities. Part B benefits covered certain non-hospital medical expenses like doctors' office visits, blood tests, X-rays, diabetic screenings and supplies, and outpatient hospital care administered in a doctor's office. Part B benefits covered DME, including orthotics, splints, canes, walkers, wheelchairs, and mobility scooters for those with mobility impairments. Part C Medicare, also known as a Medicare Advantage Plan, was a type of Medicare health plan offered by private insurance companies that contracted with Medicare to provide Part B benefits; Medicare paid those companies a set amount each month. Medicare Advantage Plans included HMOs, Preferred Provider Organizations, Private Fee-for-Service Plans, Special Needs Plans, and Medicare Medical Savings Account Plans.

The Structure of the Enterprise and the Roles of Its Members

The Enterprise was comprised of: owners; managers; billers; medical providers, including doctors, nurses, nurse practitioners ("NPs"), physician's assistants ("PAs") and technicians; office staff; corporate entities; recruiters; and transportation providers, all of whom, under the guise of operating legitimate health care clinics, processed inflated numbers of patients and falsified medical records with the purpose of fraudulently billing and receiving payments from Medicaid, Medicaid-managed health care organizations, and Medicare for medically unnecessary, frequently costly treatments and supplies. Within the structure of the Enterprise, each defendant had a well-defined role.

Eric Vainer was the leader of the Enterprise. Vainer oversaw the day-to-day and long-term operations of the Enterprise's medical clinics. **Vainer** decided who would work at the various clinics, what medical specialties the clinics offered, what medical

tests, procedures and DME would be ordered, dispensed and billed, and sometimes even how the medical providers would be compensated. **Vainer's** agreements with these medical professionals varied: some paid **Vainer** per patient (a kickback), and others split the money generated from insurance billings with **Vainer** (profit splitting). To ensure that he was properly compensated according to the agreement in place with each medical provider, **Vainer** tracked the number of patients seen by the different doctors with a computer system and daily reports from clinic managers.

Vainer also was the owner of **Assist Medical Supplies, Corp.**, a DME company that billed insurance companies for medically unnecessary DME, and **Ned Mgmt. Corp.**, a company that **Vainer** used to operate the Enterprise and to launder funds.

Polina Vainer assisted **Vainer** in managing the Enterprise. **Polina Vainer** controlled the Warehouse, where she oversaw the billing and payroll departments for several of the clinics and medical professionals. She was the owner of **T.W. Capital Corp. dba West 5th Medical Supply**, a DME company that billed Medicaid, Medicaid-managed health care organizations, and Medicare for unnecessary DME.

Warehouse staff included **Marina Vargas** and **Kirill Shakhov**. **Vargas** was responsible for billing insurance companies for the Enterprise; **Shakhov** was responsible for setting up and maintaining the Enterprise's computer system and supervising the flow of billing information from the clinics to **Vargas**.

Igor Marmulevskiy was a general manager of the Enterprise who oversaw all of the Enterprise's clinics. **Marmulevskiy** usually worked at the 741 Flushing Avenue clinic. **Melissa Gonzalez** managed the 721 Flushing Avenue medical clinic. **Shawn Mayo** managed **Vainer's** operations at the 471 East Tremont Avenue medical clinic.

The Enterprise maintained agreements with various medical providers, including podiatrists, vascular surgeons, cardiologists, pain management specialists, and psychiatrists. Podiatrists included **Benny Ogorek, DPM**, at the 953 Southern Boulevard medical clinic; **Avia Jackson, DPM**, at the 721 Flushing Avenue medical clinic; **Simeon Isaacs, DPM**, at the 741 Flushing Avenue medical clinic; and **Nemaan Ghuman, DPM**, at the 471 East Tremont Avenue medical clinic. The podiatrists saw patients at the Enterprise's clinics, fabricated patients' symptoms, and created false diagnoses. These false diagnoses justified their prescribing medically unnecessary DME and vein or artery tests (or both) for patients, without medical need. **Ogorek** was the owner of record of **NYC Podiatry P.C.**; however, he and **Vainer** jointly controlled the proceeds of their fraudulent scheme. Specifically, **Ogorek** or **NYC Podiatry P.C.** billed Medicaid and other insurance companies for **Ogorek's**, **Jackson's**, and **Isaacs'** patients' visits and **Vainer** and **Ogorek** split the profits generated by these billings. **Ghuman** or **NYC Podiatry P.C.** paid **Jackson's** salary and **NYC Podiatry P.C.** paid **Isaacs'** salary. Additionally, **Vainer** supplemented their salaries with bonuses depending on the number of patients each saw, with the goal of increasing the volume of business to increase the number of fraudulent billings.

The Enterprise also used the services of vascular surgeon **David Glass, MD** and cardiologists **Joseph Grossman, MD** and **Abdul Q. Malik, MD**, who either billed Medicaid and other insurance carriers for medical services never performed, for reviewing medically unnecessary vein and artery ultrasounds performed by technicians at the Enterprise's clinics, or both. **Glass** was the owner of **The Center for Surgery dba New York Vein Center, LLC** and **Grossman** was the owner of **Treating Physician**

Medical Care P.C. **Vainer** had access to the **Treating Physician Medical Care P.C.** bank account. **Yelena Korsunskaya** was **Glass's** office manager and the liaison between **Glass** and **Vainer**. **Korsunskaya** tracked the number of vein tests **Vainer** and other members of the Enterprise sent to **Glass** for review, and the payments **Glass** sent to **Vainer**. Although she worked for **Glass**, both **Glass** and **Vainer** paid **Korsunskaya's** salary.

The Enterprise's clinics also offered pain management services, run by **Henry Sardar, DO**, the owner of **Hylan Boulevard Physical Medicine and Rehabilitation, PLLC**. **Sardar** employed **Susan Nutakor-Doh, NP**, who divided her time between the 721 Flushing Avenue and 953 Southern Boulevard medical clinics, and **Hoda Abdelaziz, NP** and physician's assistant **Taesoo Kim**, who worked at the 1396 Myrtle Avenue clinic. **Sardar** oversaw their prescribing and providing medically unnecessary services such as office visits, physical therapy, and DME, for the purpose of generating fraudulent bills to Medicaid, Medicaid-managed health care organizations, and Medicare. **Sardar** paid **Vainer** a monthly fee for the patients that **Vainer** steered to him, and directly billed Medicaid, Medicaid-managed health care organizations, and Medicare for the services **Sardar** and his employees claimed to have provided.

Herbert Meadow, MD, **Renee Denobrega, NP**, and physician's assistant **Matthew Jordan** provided psychiatry services to patients: **Meadow** and **Denobrega** at the 741 Flushing Avenue Clinic and **Jordan** at the 953 Southern Boulevard Clinic. These medical providers upcoded billings to charge inflated fees for abbreviated patient visits for the purpose of maximizing profitability for the Enterprise. **Meadow**, **Denobrega** and **Jordan** also referred their patients to other providers associated with the

Enterprise for unnecessary, frequently costly tests, procedures and DME. **Meadow** was the owner of record of **Community Medical Disorder P.C.**, which billed Medicaid and other insurance companies for **Meadow's**, **Denobrega's** and **Jordan's** patients. **Vainer** was the sole signer of the bank account for **Community Medical Disorder P.C.**, and both shared the profits generated by these billings. **Community Medical Disorder P.C.** paid **Denobrega's** and **Jordan's** salaries, which were based on the number of patients they saw. **Vainer** provided bonuses to them as an incentive to increase their billings.

The Enterprise used a network of recruiters to entice individuals covered by Medicaid or other health insurance plans to become "patients" at the corrupt clinics. The recruiters also provided these recruited patients with transportation to the corrupt clinics. **Bernard Rorie** was the Enterprise's chief recruiter for the Brooklyn clinics and he had associate recruiters working for him. **Vainer** paid the recruiters for each patient referral.

Continuity

The Enterprise existed for years, including the period charged in this Indictment. The common criminal purpose, structure and methods of the Enterprise remained constant, despite changes in clinic personnel, including licensed health care providers, support staff, and recruiters. Licensed health care professionals continued to treat patients and dispense DME without regard to medical necessity, support staff continued to bill for the unnecessary procedures, tests, treatments, office visits, and DME, and recruiters continued to steer eligible beneficiaries to the Enterprise's clinics.

The Purpose of the Criminal Enterprise

The defendants were members and associates of the Vainer Health Care Fraud Enterprise, an organized criminal group that operated medical clinics and offered medical

and related services specifically designed and maintained to facilitate and encourage illegal activity, including a scheme to defraud, health care fraud, larceny, offering false instruments for filing, falsifying business records, money laundering, and other violations of New York State law, in Kings and Bronx Counties. The Enterprise constituted a "criminal enterprise" as that term is defined in Penal Law § 460.10(3).

Pattern Of Criminal Activity

During the period of this offense, the defendants, with intent to participate in and advance the affairs of the criminal enterprise and pursuant to a common scheme and plan, engaged in conduct constituting and were criminally liable for criminal acts included within a pattern of criminal activity, as follows:

PATTERN ACT #1

The defendants, ERIC VAINER, POLINA VAINER, IGOR MARMULEVSKIY, MELISSA GONZALEZ, SHAWN MAYO, KIRILL SHAKHOV, MARINA VARGAS, HENRY SARDAR, SUSAN NUTAKOR-DOH, TAESOO KIM, HODA ABDELAZIZ, DAVID GLASS, YELENA KORSUNSKAYA, BENNY OGOREK, AVIA JACKSON, SIMEON ISAACS, NEEMAN GHUMAN, HERBERT MEADOW, MATTHEW JORDAN, RENEE DENOBREGA, JOSEPH GROSSMAN, ABDUL Q. MALIK, BERNARD RORIE, ASSIST MEDICAL SUPPLIES, CORP., T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY, NED MGMT. CORP., NYC PODIATRY P.C., COMMUNITY MEDICAL DISORDER P.C., HYLAN BOULEVARD PHYSICAL MEDICINE AND REHABILITATION, PLLC, TREATING PHYSICIAN MEDICAL CARE P.C., and THE CENTER FOR SURGERY DBA NEW YORK

VEIN CENTER, LLC, committed the crime of **Scheme to Defraud in the First Degree**, in violation of **Penal Law Section 190.65(1)(b)**, as follows:

The defendants, acting in concert, from on or about October 1, 2012 to on or about September 30, 2014, in the County of Kings and elsewhere, engaged in a scheme constituting a systematic ongoing course of conduct with intent to defraud more than one person and to obtain property from more than one person by false and fraudulent pretenses, representations and promises, and so obtained property with a value in excess of one thousand dollars from one or more such persons.

PATTERN ACT #2

The defendants, **ERIC VAINER, POLINA VAINER, IGOR MARMULEVSKIY, MELISSA GONZALEZ, SHAWN MAYO, KIRILL SHAKHOV, MARINA VARGAS, HENRY SARDAR, SUSAN NUTAKOR-DOH, TAESOO KIM, HODA ABDELAZIZ, DAVID GLASS, YELENA KORSUNSKAYA, BENNY OGOREK, AVIA JACKSON, SIMEON ISAACS, NEEMAN GHUMAN, HERBERT MEADOW, MATTHEW JORDAN, RENEE DENOBERGA, JOSEPH GROSSMAN, ABDUL Q. MALIK, BERNARD RORIE, ASSIST MEDICAL SUPPLIES, CORP., T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY, NED MGMT. CORP., NYC PODIATRY P.C., COMMUNITY MEDICAL DISORDER P.C., HYLAN BOULEVARD PHYSICAL MEDICINE AND REHABILITATION, PLLC, TREATING PHYSICIAN MEDICAL CARE P.C., and THE CENTER FOR SURGERY DBA NEW YORK VEIN CENTER, LLC**, committed the crime of **Health Care Fraud in the First Degree** in violation of **Penal Law Section 177.25**, as follows:

The defendants, acting in concert, from on or about October 1, 2012 to on or about September 30, 2013, in the County of Kings and elsewhere, with intent to defraud a health plan, specifically, the Medicare program, knowingly and willfully provided materially false information for the purpose of requesting payment from Medicare for health care items and services, and, as a result of such information, defendants wrongfully received payments from the Medicare program exceeding one million dollars in the aggregate.

PATTERN ACT #3

The defendants, **ERIC VAINER, POLINA VAINER, IGOR MARMULEVSKIY, MELISSA GONZALEZ, SHAWN MAYO, KIRILL SHAKHOV, MARINA VARGAS, HENRY SARDAR, SUSAN NUTAKOR-DOH, TAESOO KIM, HODA ABDELAZIZ, DAVID GLASS, YELENA KORSUNSKAYA, BENNY OGOREK, AVIA JACKSON, SIMEON ISAACS, NEEMAN GHUMAN, HERBERT MEADOW, MATTHEW JORDAN, RENEE DENOBERGA, JOSEPH GROSSMAN, ABDUL Q. MALIK, BERNARD RORIE, ASSIST MEDICAL SUPPLIES, CORP., T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY, NED MGMT. CORP., NYC PODIATRY P.C., COMMUNITY MEDICAL DISORDER P.C., HYLAN BOULEVARD PHYSICAL MEDICINE AND REHABILITATION, PLLC, TREATING PHYSICIAN MEDICAL CARE P.C., and THE CENTER FOR SURGERY DBA NEW YORK VEIN CENTER, LLC,** committed the crime of **Health Care Fraud in the First Degree** in violation of **Penal Law Section 177.25**, as follows:

The defendants, acting in concert, from on or about October 1, 2013 to on or about September 30, 2014, in the County of Kings and elsewhere, with intent to defraud a health plan, specifically, the Medicare program, knowingly and willfully provided materially false information for the purpose of requesting payment from Medicare for health care items and services, and, as a result of such information, defendants wrongfully received payments from the Medicare program exceeding one million dollars in the aggregate.

PATTERN ACT #4

The defendants, **ERIC VAINER, POLINA VAINER, IGOR MARMULEVSKIY, MELISSA GONZALEZ, SHAWN MAYO, KIRILL SHAKHOV, MARINA VARGAS, HENRY SARDAR, SUSAN NUTAKOR-DOH, TAESOO KIM, HODA ABDELAZIZ, DAVID GLASS, YELENA KORSUNSKAYA, BENNY OGOREK, AVIA JACKSON, SIMEON ISAACS, NEEMAN GHUMAN, HERBERT MEADOW, MATTHEW JORDAN, RENEE DENOBREGA, JOSEPH GROSSMAN, ABDUL Q. MALIK, BERNARD RORIE, ASSIST MEDICAL SUPPLIES, CORP., T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY, NED MGMT. CORP., NYC PODIATRY P.C., COMMUNITY MEDICAL DISORDER P.C., HYLAN BOULEVARD PHYSICAL MEDICINE AND REHABILITATION, PLLC, TREATING PHYSICIAN MEDICAL CARE P.C., and THE CENTER FOR SURGERY DBA NEW YORK VEIN CENTER, LLC**, committed the crime of **Health Care Fraud in the First Degree** in violation of **Penal Law Section 177.25**, as follows:

The defendants, acting in concert, from on or about October 1, 2012 to on or about September 30, 2013, in the County of Kings and elsewhere, with intent to defraud a health plan, specifically, the Medicaid program, knowingly and willfully provided materially false information for the purpose of requesting payment from Medicaid for health care items and services, and, as a result of such information, defendants wrongfully received payments from the Medicaid program exceeding one million dollars in the aggregate.

PATTERN ACT #5

The defendants, **ERIC VAINER, POLINA VAINER, IGOR MARMULEVSKIY, MELISSA GONZALEZ, SHAWN MAYO, KIRILL SHAKHOV, MARINA VARGAS, HENRY SARDAR, SUSAN NUTAKOR-DOH, TAESOO KIM, HODA ABDELAZIZ, DAVID GLASS, YELENA KORSUNSKAYA, BENNY OGOREK, AVIA JACKSON, SIMEON ISAACS, NEEMAN GHUMAN, HERBERT MEADOW, MATTHEW JORDAN, RENEE DENOBREGA, JOSEPH GROSSMAN, ABDUL Q. MALIK, BERNARD RORIE, ASSIST MEDICAL SUPPLIES, CORP., T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY, NED MGMT. CORP., NYC PODIATRY P.C., COMMUNITY MEDICAL DISORDER P.C., HYLAN BOULEVARD PHYSICAL MEDICINE AND REHABILITATION, PLLC, TREATING PHYSICIAN MEDICAL CARE P.C., and THE CENTER FOR SURGERY DBA NEW YORK VEIN CENTER, LLC,** committed the crime of **Health Care Fraud in the First Degree** in violation of **Penal Law Section 177.25**, as follows:

The defendants, acting in concert, from on or about October 1, 2013 to on or about September 30, 2014, in the County of Kings and elsewhere, with intent to defraud a health plan, specifically, the Medicaid program, knowingly and willfully provided materially false information for the purpose of requesting payment from Medicaid for health care items and services, and, as a result of such information, defendants wrongfully received payments from the Medicaid program exceeding one million dollars in the aggregate.

PATTERN ACT #6

The defendants, **ERIC VAINER, POLINA VAINER, MELISSA GONZALEZ, AVIA JACKSON, NEEMAN GHUMAN, IGOR MARMULEVSKIY, MARINA VARGAS, KIRILL SHAKHOV, BERNARD RORIE, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about November 16, 2012, in **Kings County**, stole property, specifically: \$331.47 from Medicaid.

PATTERN ACT #7

The defendants, **ERIC VAINER, POLINA VAINER, MELISSA GONZALEZ, AVIA JACKSON, NEEMAN GHUMAN, IGOR MARMULEVSKIY, MARINA VARGAS, KIRILL SHAKHOV, BERNARD RORIE, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about November 16, 2012, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim for an ankle foot orthotic that falsely diagnosed Medicaid recipient, Client Identification Number NN29323C, with joint derangement, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #8

The defendants, **ERIC VAINER, POLINA VAINER, MELISSA GONZALEZ, AVIA JACKSON, NEEMAN GHUMAN, IGOR MARMULEVSKIY, MARINA VARGAS, KIRILL SHAKHOV, BERNARD RORIE, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about November 16, 2012, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1301400212163420 for payment for services provided on or about November 16, 2012 for Medicaid recipient, Client

Identification Number NN29323C, that the defendants knew falsely stated the recipient required an ankle foot orthotic.

PATTERN ACT #9

The defendants, **BERNARD RORIE, IGOR MARMULEVSKIY, SIMEON ISAACS, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about December 5, 2013, in **Kings County**, stole property, specifically: \$363.49 from Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

PATTERN ACT #10

The defendants, **BERNARD RORIE, IGOR MARMULEVSKIY, ERIC VAINER, DAVID GLASS, and YELENA KORSUNSKAYA**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about December 5, 2013, in **Kings County**, stole property, specifically: \$180.81 from Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

PATTERN ACT #11

The defendants, **BERNARD RORIE, IGOR MARMULEVSKIY, SIMEON ISAACS, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, and ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about December 5, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for debridement of six or more nails and a 15 minute office visit that falsely diagnosed Medicaid managed health care recipient, Client Identification Number 717749979, with dermatophytosis of nail and plantar fascial fibromatosis, filed with Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

PATTERN ACT #12

The defendants, **BERNARD RORIE, IGOR MARMULEVSKIY, SIMEON ISAACS, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about December 5, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for an ankle foot orthotic that falsely diagnosed Medicaid managed health care recipient, Client Identification Number 717749979, with atherosclerosis of native arteries of the extremities with pain filed with Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

PATTERN ACT #13

The defendants, **BERNARD RORIE, IGOR MARMULEVSKIY, SIMEON ISAACS, BENNY OGOREK, ERIC VAINER, DAVID GLASS, and YELENA KORSUNSKAYA**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about December 5, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form pertaining to Medicaid managed health care recipient, Client Identification Number 717749979, for a medically unnecessary Doppler vein scan and study for a fictitious diagnosis of atherosclerosis of native arteries with intermittent claudication filed with Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

PATTERN ACT #14

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, AVIA JACKSON, IGOR MARMULEVSKIY, NEEMAN GHUMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, SUSAN NUTAKORDOH, HENRY SARDAR and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about December 18, 2012, in **Kings County**, stole property, specifically: \$426.52 from Medicaid.

PATTERN ACT #15

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, AVIA JACKSON, NEEMAN GHUMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about December 18, 2012, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for an ankle foot orthotic that falsely diagnosed Medicaid recipient, Client Identification Number NC61142Q, with a non-traumatic rupture of an unspecified tendon filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #16

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, ERIC VAINER, SUSAN NUTAKOR-DOH, and HENRY SARDAR**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about December 18, 2012, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 45 minute office visit that falsely

diagnosed Medicaid recipient, Client Identification Number NC61142Q, with myalgia and myositis, chronic pain syndrome and sprain of the foot filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #17

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, AVIA JACKSON, NEEMAN GHUMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about December 18, 2012, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1236400035300920 for payment for services provided on December 18, 2012 for Medicaid recipient Client Identification Number NC61142Q, that the defendants knew falsely stated that the recipient required an ankle foot orthotic.

PATTERN ACT #18

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, ERIC VAINER, SUSAN NUTAKOR-DOH, and HENRY SARDAR**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about December 18, 2012, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that said defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1235600173307320 for payment for services provided on December 18, 2012 for a Medicaid recipient Client Identification Number NC61142Q that the defendants knew falsely claimed a 45 minute office visit by **SUSAN NUTAKOR-DOH** for a fictitious diagnosis of myalgia and myositis, chronic pain syndrome, and sprain of the foot.

PATTERN ACT #19

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, AVIA JACKSON, NEEMAN GHUMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about October 19, 2012, in **Kings County**, stole property, specifically: \$331.47 from Medicaid.

PATTERN ACT #20

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, AVIA JACKSON, NEEMAN GHUMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about October 19, 2012, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for an ankle foot orthotic that falsely diagnosed Medicaid recipient Client Identification Number NW52361A with osteoarthrosis, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #21

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, AVIA JACKSON, NEEMAN GHUMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about October 19, 2012, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1229700000014920 for payment for services provided on or about October 19, 2012 for Medicaid recipient Client Identification Number NW52361A, that the defendants knew falsely stated that the recipient required an ankle foot orthotic.

PATTERN ACT #22

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, AVIA JACKSON, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, JOSEPH GROSSMAN, DAVID GLASS, YELENA KORSUNSKAYA** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about March 5, 2014, in **Kings County**, knowingly stole property, specifically: \$413.40 from Medicaid.

PATTERN ACT #23

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, AVIA JACKSON, BENNY OGOREK, POLINA VAINER,**

MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about March 5, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a foot insert that falsely diagnosed Medicaid recipient Client Identification Number NW52361A with a calcaneal spur, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #24

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, AVIA JACKSON, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about March 5, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for orthopedic footwear that falsely diagnosed Medicaid recipient Client Identification Number NW52361A with a calcaneal spur, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #25

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and JOSEPH GROSSMAN**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about March 5, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for artery scans and studies that falsely diagnosed Medicaid recipient Client Identification Number NW52361A with atherosclerosis of the extremities with intermittent claudication, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #26

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, ERIC VAINER, DAVID GLASS and YELENA KORSUNSKAYA**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about March 5, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for venal tests and studies that falsely diagnosed Medicaid recipient Client Identification Number NW52361A with phlebitis,

thrombophlebitis of femoral vein, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #27

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, AVIA JACKSON, IGOR MARMULEVSKIY, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of Penal Law Section 175.35, as follows:

The defendants, acting in concert, on or about March 5, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1407300230997420 for payment for services provided on March 5, 2014, for Medicaid recipient, Client Identification Number NW52361A, that the defendants knew falsely stated that the recipient required a foot insert for a fictitious diagnosis of calcaneal spur.

PATTERN ACT #28

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, AVIA JACKSON, IGOR MARMULEVSKIY, BENNY OGOREK, POLINA VAINER,**

MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about March 5, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1407300230997320 for payment for services provided on March 5, 2014, for Medicaid recipient, Client Identification Number NW52361A, that the defendants knew falsely stated that the recipient required orthopedic footwear for a fictitious diagnosis of calcaneal spur.

PATTERN ACT #29

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and JOSEPH GROSSMAN**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about March 5, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and

with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **JOSEPH GROSSMAN** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1407300163011920 for payment for services provided on March 5, 2014, for Medicaid recipient, Client Identification Number NW52361A, that the defendants knew falsely stated that the recipient required artery scans and studies for a fictitious diagnosis of atherosclerosis of the extremities with intermittent claudication.

PATTERN ACT #30

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, ERIC VAINER, DAVID GLASS, and YELENA KORSUNSKAYA**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about March 5, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **DAVID GLASS** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1408300212842120 for payment for services provided on March 5, 2014, for Medicaid recipient Client Identification Number NW52361A, that the defendants knew falsely

claimed the recipient suffered from phlebitis and thrombophlebitis and a duplex scan of extremity veins was medically necessary.

PATTERN ACT #31

The defendants, **BERNARD RORIE, IGOR MARMULEVSKIY, SIMEON ISAACS, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about December 18, 2013, in **Kings County**, stole property, specifically: \$184.73 from Medicare.

PATTERN ACT #32

The defendants, **BERNARD RORIE, IGOR MARMULEVSKIY, SIMEON ISAACS, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about December 18, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for an ankle foot orthotic that falsely diagnosed the Medicare beneficiary associated with Medicare Identification Number 370-25-3574A with plantar fascial fibromatosis filed with NHIC Corp., as fiscal agent for the Medicare -DME program.

PATTERN ACT #33

The defendants, **BERNARD RORIE, IGOR MARMULEVSKIY, SIMEON ISAACS, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, and ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about December 18, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 30 minute office visit and debridement of nails that falsely diagnosed Medicare beneficiary, Medicare Identification Number 370-25-3574A, with a fictitious diagnosis of plantar fascial fibromatosis and dermatophytosis of nail, filed with National Government Services, as fiscal agent for the Medicare program.

PATTERN ACT #34

The defendants, **BERNARD RORIE, IGOR MARMULEVSKIY, SIMEON ISAACS, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about December 18, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the Medicare program, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and

recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to NHIC Corp., fiscal agent for the Medicare program-DME, claim reference number 14063707249000 for payment for services provided on December 18, 2013 for the Medicare beneficiary associated with Medicare Identification Number 370-25-3574A, that the defendants knew falsely stated the client required an ankle foot orthotic for a fictitious diagnosis of plantar fascial fibromatosis.

PATTERN ACT #35

The defendants, **BERNARD RORIE, IGOR MARMULEVSKIY, SIMEON ISAACS, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, and ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about December 18, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the Medicare program, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **BENNY OGOREK** to National Government Services, fiscal agent for the Medicare program, claim reference number 751113354468700 for payment for services provided on December 18, 2013, for a Medicare recipient, Client Identification Number 370-25-3574A, that the defendants knew falsely stated that **BENNY OGOREK** performed debridement of six or more nails

by any method for a fictitious diagnosis of plantar fascial fibromatosis and dermatophytosis of nail.

PATTERN ACT #36

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, AVIA JACKSON, IGOR MARMULEVSKIY, NEEMAN GHUMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about October 12, 2012, in **Kings County**, stole property, specifically: \$194 from Medicaid.

PATTERN ACT #37

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, AVIA JACKSON, IGOR MARMULEVSKIY, NEEMAN GHUMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about October 12, 2012, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for an ankle foot orthotic that falsely diagnosed Medicaid recipient Client Identification Number NN10654C with a ruptured

Achilles tendon, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #38

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, AVIA JACKSON, IGOR MARMULEVSKIY, NEEMAN GHUMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about October 12, 2012, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1229100194334620 for payment for services provided on or about October 12, 2012 for Medicaid recipient, Client Identification Number NN10654C, that the defendants knew falsely stated that the recipient required an ankle foot orthotic for a fictitious diagnosis of a ruptured Achilles tendon.

PATTERN ACT #39

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, AVIA JACKSON, IGOR MARMULEVSKIY, NEEMAN GHUMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about October 4, 2012, in **Kings County**, stole property, specifically: \$331.47 from Medicaid.

PATTERN ACT #40

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, AVIA JACKSON, IGOR MARMULEVSKIY, NEEMAN GHUMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about October 4, 2012, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for an ankle foot orthotic that falsely diagnosed Medicaid recipient Client Identification Number PJ99310Q with a sprained ankle, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #41

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, AVIA JACKSON, IGOR MARMULEVSKIY, NEEMAN GHUMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, T.W. CAPITAL CORP., and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY,** committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about October 4, 2012, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1228600238072020 for payment for services provided on October 4, 2012 for Medicaid recipient Client Identification Number PJ993T0Q, that the defendants knew falsely stated that the recipient required an ankle foot orthotic for a fictitious diagnosis of a sprained ankle.

PATTERN ACT #42

The defendants, **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST**

5TH MEDICAL SUPPLY, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about November 20, 2012, in **Kings County**, stole property, specifically: \$418.03 from Medicaid.

PATTERN ACT #43

The defendants, **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY, and ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about November 20, 2012, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 45 minute office visit that falsely diagnosed Medicaid recipient Client Identification Number PJ99310Q with lumbago, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #44

The defendants, **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about November 20, 2012, in **Kings County**, with intent to defraud, including an intent to commit another crime and to

conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a back brace that falsely diagnosed Medicaid recipient Client Identification Number PJ99310Q with lumbago, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #45

The defendants, **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about November 20, 2012, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1233400176341120 for payment for services provided on November 20, 2012, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely stated that the recipient required a back brace for a fictitious diagnosis of lumbago.

PATTERN ACT #46

The defendants, **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY, and ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about November 20, 2012, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 12334000124940020 for payment for services provided on November 20, 2012, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a 15 minute office visit with the recipient by **SUSAN NUTAKOR-DOH** for a fictitious diagnosis of lumbago, myalgia and myositis, chronic pain syndrome and abnormality of gait.

PATTERN ACT #47

The defendants, **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY, and ERIC VAINER**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about December 4, 2012, in **Kings County**, stole property, specifically: \$41.15 from Medicaid.

PATTERN ACT #48

The defendants, **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY, and ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about December 4, 2012, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 15 minute office visit that falsely diagnosed Medicaid recipient Client Identification Number PJ99310Q with lumbago, myalgia and myositis, chronic pain syndrome and cervicgia, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #49

The defendants, **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY, and ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about December 4, 2012, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to

Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1304200217149420 for payment for services provided on December 4, 2012, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a 15 minute office visit with the client by SUSAN NUTAKOR-DOH for a fictitious diagnosis of lumbago, myalgia and myositis, chronic pain syndrome and cervicalgia.

PATTERN ACT #50

The defendants, SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY, and ERIC VAINER, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about December 18, 2012, in **Kings County**, stole property, specifically: \$41.15 from Medicaid.

PATTERN ACT #51

The defendants, SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY, and ERIC VAINER, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about December 18, 2012, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 15 minute office visit that falsely diagnosed Medicaid recipient Client Identification Number PJ99310Q with lumbago,

myalgia and myositis, chronic pain syndrome and cervicgia, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #52

The defendants, **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY and ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about December 18, 2012, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1235600173307720 for payment for services provided on December 18, 2012, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a 15 minute office visit with the recipient by **SUSAN NUTAKOR-DOH** for a fictitious diagnosis of lumbago, myalgia and myositis, chronic pain syndrome and cervicgia.

PATTERN ACT #53

The defendants, **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY and ERIC VAINER**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about January 8, 2013, in **Kings County**, stole property, specifically: \$61.80 from Medicaid.

PATTERN ACT #54

The defendants, **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY and ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about January 8, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 25 minute office visit that falsely diagnosed Medicaid recipient Client Identification Number PJ99310Q with lumbago, myalgia and myositis, opioid type dependence and abnormality of gait filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #55

The defendants, **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY and ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about January 8, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and

otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1301400210477120 for payment for services provided on January 8, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a 25 minute office visit with the recipient by **SUSAN NUTAKOR-DOH** for a fictitious diagnosis of lumbago.

PATTERN ACT #56

The defendants, **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY** and **ERIC VAINER**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about January 22, 2013, in **Kings County**, stole property, specifically: \$41.15 from Medicaid.

PATTERN ACT #57

The defendants, **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY** and **ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about January 22, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 15 minute office visit that falsely diagnosed Medicaid recipient Client Identification Number PJ99310Q with lumbago,

myalgia and myositis, opioid dependence, and abnormality of gait, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #58

The defendants, **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY and ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about January 22, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1302800172496920 for payment for services provided on January 22, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a 15 minute office visit with the client by **SUSAN NUTAKOR-DOH** for a fictitious diagnosis of lumbago, myalgia and myositis, opioid dependence, and abnormality of gait.

PATTERN ACT #59

The defendants, **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY and ERIC VAINER**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about February 15, 2013, in **Kings County**, stole property, specifically: \$41.15 from Medicaid.

PATTERN ACT #60

The defendants, **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY and ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about February 15, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 15 minute office visit that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with lumbago, myalgia and myositis, opioid dependence, and muscle spasm, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #61

The defendants, **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY and ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about February 15, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and

recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1305200180549820 for payment for services provided on February 15, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a 15 minute office visit with the recipient by **SUSAN NUTAKOR-DOH** for a fictitious diagnosis of lumbago, myalgia and myositis, opioid dependence, and spasm of muscle.

PATTERN ACT #62

The defendants, **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY** and **ERIC VAINER**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about March 5, 2013, in **Kings County**, stole property, specifically: \$41.15 from Medicaid.

PATTERN ACT #63

The defendants, **HENRY SARDAR** and **ERIC VAINER**, committed the crime of **Attempted Petit Larceny** in violation of **Penal Law Sections 110 and 155.25**, as follows:

The defendants, acting in concert, on or about March 5, 2013, in **Kings County**, attempted to steal property, specifically: \$240 from Medicaid.

PATTERN ACT #64

The defendants, **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY** and **ERIC VAINER**, committed the crime

of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about March 5, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 15 minute office visit that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with lumbago, myalgia and myositis, opioid dependence, and muscle spasm, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #65

The defendants, **SUSAN NUTAKOR-DOH, HENRY SARDAR, and ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about March 5, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a physical therapy evaluation and therapeutic activities that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with lumbago, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #66

The defendants, **SUSAN NUTAKOR-DOH, HENRY SARDAR, MELISSA GONZALEZ, IGOR MARMULEVSKIY and ERIC VAINER**, committed the crime

of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about March 5, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1306800000251120, payment for services provided on or about March 5, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a 15 minute office visit with the recipient by **SUSAN NUTAKOR-DOH** for a fictitious diagnosis of lumbago, myalgia and myositis, opioid dependence, and spasm of muscle.

PATTERN ACT #67

The defendants, **SUSAN NUTAKOR-DOH**, **HENRY SARDAR**, and **ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about March 5, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants

submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1314000209959420 for payment for services provided on March 5, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely stated that the recipient required physical therapy for a fictitious diagnosis of lumbago.

PATTERN ACT #68

The defendants, **HENRY SARDAR** and **ERIC VAINER**, committed the crime of **Attempted Petit Larceny** in violation of **Penal Law Sections 110 and 155.25**, as follows:

The defendants, acting in concert, on or about March 7, 2013, in **Kings County**, attempted to steal property, specifically: \$235 from Medicaid.

PATTERN ACT #69

The defendants, **HENRY SARDAR** and **ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about March 7, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for physical therapy and therapeutic activities that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with lumbago, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #70

The defendants, **HENRY SARDAR** and **ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about March 7, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1314000209959520 for payment for services provided on March 7, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely stated that the recipient required physical therapy for a fictitious diagnosis of lumbago.

PATTERN ACT #71

The defendants, **HENRY SARDAR** and **ERIC VAINER**, committed the crime of **Attempted Petit Larceny** in violation of **Penal Law Sections 110 and 155.25**, as follows:

The defendants, acting in concert, on or about March 14, 2013, in **Kings County**, attempted to steal property, specifically: \$165 from Medicaid.

PATTERN ACT #72

The defendants, **HENRY SARDAR** and **ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about March 14, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for physical therapy and therapeutic activities that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with thoracic or lumbosacral neuritis or radiculitis, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #73

The defendants, **HENRY SARDAR** and **ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about March 14, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1307400193476820, for payment for services provided on March 14, 2013, for Medicaid

recipient, Client Identification Number PJ99310Q, that the defendants knew falsely stated that the recipient required physical therapy for a fictitious diagnosis of thoracic or lumbosacral neuritis or radiculitis.

PATTERN ACT #74

The defendants, **HENRY SARDAR** and **ERIC VAINER**, committed the crime of **Attempted Petit Larceny** in violation of **Penal Law Sections 110 and 155.25**, as follows:

The defendants, acting in concert, on or about March 15, 2013, in **Kings County**, attempted to steal property, specifically: \$165 from Medicaid.

PATTERN ACT #75

The defendants, **HENRY SARDAR** and **ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about March 15, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for physical therapy and therapeutic activities that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with thoracic or lumbosacral neuritis or radiculitis, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #76

The defendants, **HENRY SARDAR** and **ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about March 15, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1314000209959720 for payment for services provided on March 15, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely stated that the recipient required physical therapy for a fictitious diagnosis of thoracic or lumbosacral neuritis or radiculitis.

PATTERN ACT #77

The defendants, **HODA ABDELAZIZ**, **HENRY SARDAR** and **ERIC VAINER**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about March 22, 2013, in **Kings County**, stole property, specifically: \$41.15 from Medicaid.

PATTERN ACT #78

The defendants, **HODA ABDELAZIZ, HENRY SARDAR and ERIC VAINER**, committed the crime of **Attempted Petit Larceny** in violation of **Penal Law Sections 110 and 155.25**, as follows:

The defendants, acting in concert, on or about March 22, 2013, in **Kings County**, attempted to steal property, specifically: \$165 from Medicaid.

PATTERN ACT #79

The defendants, **HODA ABDELAZIZ, HENRY SARDAR and ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about March 22, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 15 minute office visit that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with thoracic or lumbosacral neuritis or radiculitis, myalgia and myositis, opioid dependence, and muscle spasm, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #80

The defendants, **HODA ABDELAZIZ, HENRY SARDAR and ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about March 22, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for physical therapy and therapeutic activities that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with thoracic or lumbosacral neuritis or radiculitis, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #81

The defendants, **HODA ABDELAZIZ, HENRY SARDAR** and **ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about March 22, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted to a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1308400238429620, for payment for services provided on March 22, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a 15 minute office visit with the recipient by **HODA ABDELAZIZ** for a fictitious diagnosis of thoracic or lumbosacral neuritis or radiculitis, myalgia and myositis, spasm of muscle, and opioid type dependence.

PATTERN ACT #82

The defendants, **HODA ABDELAZIZ, HENRY SARDAR and ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about March 22, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1314000209959820 for payment for services provided on March 22, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely stated that the recipient required physical therapy for a fictitious diagnosis of thoracic or lumbosacral neuritis or radiculitis, myalgia and myositis, opioid dependence, and muscle spasm.

PATTERN ACT #83

The defendants, **HODA ABDELAZIZ, HENRY SARDAR and ERIC VAINER**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about March 29, 2013, in **Kings County**, stole property, specifically: \$61.80 from Medicaid.

PATTERN ACT #84

The defendants, **HODA ABDELAZIZ, HENRY SARDAR and ERIC VAINER**, committed the crime of **Attempted Petit Larceny** in violation of **Penal Law Sections 110 and 155.25**, as follows:

The defendants, acting in concert, on or about March 29, 2013, in **Kings County**, attempted to steal property, specifically: \$300 from Medicaid.

PATTERN ACT #85

The defendants, **HODA ABDELAZIZ, HENRY SARDAR and ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about March 29, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 15 minute office visit that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with thoracic or lumbosacral neuritis, myalgia and myositis, chronic pain syndrome and muscle spasm, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #86

The defendants, **HODA ABDELAZIZ, HENRY SARDAR and ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about March 29, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the

commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for physical therapy and therapeutic activities that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with myalgia and myositis, thoracic or lumbosacral neuritis, and spasm of muscle, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #87

The defendants, **HODA ABDELAZIZ, HENRY SARDAR** and **ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about March 29, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1309100445400120, for payment for services provided on March 29, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a 25 minute office visit with the recipient by **HODA ABDELAZIZ** for a fictitious diagnosis of myalgia and myositis, thoracic or lumbosacral neuritis, spasm of muscle, and chronic pain syndrome.

PATTERN ACT #88

The defendants, **HENRY SARDAR** and **ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about March 29, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1314000209959920, for payment for services provided on March 29, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely stated that the recipient required physical therapy for a fictitious diagnosis of thoracic or lumbosacral neuritis, myalgia and myositis, chronic pain syndrome and muscle spasm.

PATTERN ACT #89

The defendants, **TAESOO KIM**, **HENRY SARDAR** and **ERIC VAINER**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about April 12, 2013, in **Kings County**, stole property, specifically: \$41.15 from Medicaid.

PATTERN ACT #90

The defendants, **TAESOO KIM, HENRY SARDAR and ERIC VAINER**, committed the crime of **Attempted Petit Larceny** in violation of **Penal Law Sections 110 and 155.25**, as follows:

The defendants, acting in concert, on or about April 12, 2013, in **Kings County**, attempted to steal property, specifically: \$230 from Medicaid.

PATTERN ACT #91

The defendants, **TAESOO KIM, HENRY SARDAR and ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about April 12, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 15 minute office visit that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with lumbago, myalgia and myositis, abnormality of gait and muscle spasm, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #92

The defendants, **TAESOO KIM, HENRY SARDAR and ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about April 12, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the

commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for physical therapy and therapeutic activities that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with thoracic or lumbosacral neuritis or radiculitis, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #93

The defendants, **TAESoon KIM, HENRY SARDAR** and **ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about April 12, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1310500275396320 for payment for services provided on April 12, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a 15 minute office visit with the client by **TAESoon KIM** for a fictitious diagnosis of myalgia and myositis, lumbago, spasm of muscle, and abnormality of gait.

PATTERN ACT #94

The defendants, **HENRY SARDAR** and **ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about April 12, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1314000209960020 for payment for services provided on April 12, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely stated that the recipient required physical therapy for a fictitious diagnosis of thoracic or lumbosacral neuritis.

PATTERN ACT #95

The defendants, **BERNARD RORIE**, **MELISSA GONZALEZ**, **IGOR MARMULEVSKIY**, **ERIC VAINER**, **AVIA JACKSON**, **DAVID GLASS**, and **YELENA KORSUNSKAYA**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about April 20, 2013, in **Kings County**, stole property, specifically: \$150.13 from Medicaid.

PATTERN ACT #96

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, AVIA JACKSON, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Attempted Petit Larceny** in violation of **Penal Law Sections 110 and 155.25**, as follows:

The defendants, acting in concert, on or about April 19, 2013, in **Kings County**, attempted to steal property, specifically: \$194 from Medicaid.

PATTERN ACT #97

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, ERIC VAINER, AVIA JACKSON, DAVID GLASS, and YELENA KORSUNSKAYA**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about April 20, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a duplex scan and complete bilateral study of extremity veins that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with phlebitis and thrombophlebitis of lower extremities superficial vessels, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #98

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL**

SHAKHOV, ERIC VAINER, AVIA JACKSON, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about April 19, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for an ankle foot orthotic that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with Achilles bursitis or tendinitis, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #99

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, ERIC VAINER, AVIA JACKSON, DAVID GLASS, and YELENA KORSUNSKAYA**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about April 20, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **DAVID GLASS** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1313300183222620 for payment for services provided on or about April 20, 2013, for

Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a duplex scan of extremity veins including responses to compression and other maneuvers and complete bilateral study was medically necessary for a fictitious diagnosis of phlebitis and thrombophlebitis of lower extremities superficial vessels.

PATTERN ACT #100

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, AVIA JACKSON, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about April 19, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1312200241778520 for payment for services provided on April 19, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely stated that the recipient required an ankle foot orthotic for a fictitious diagnosis of Achilles bursitis or tendinitis.

PATTERN ACT #101

The defendants, **TAESOO KIM, HENRY SARDAR, and ERIC VAINER**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about May 6, 2013, in **Kings County**, stole property, specifically: \$37.41 from Medicaid.

PATTERN ACT #102

The defendants, **TAESOO KIM, HENRY SARDAR, and ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about May 6, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 15 minute office visit that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with lumbago, myalgia and myositis, chronic pain syndrome and muscle spasm, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #103

The defendants, **TAESOO KIM, HENRY SARDAR, and ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about May 6, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and

with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1312800348829820 for payment for services provided on May 6, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a 15 minute office visit with the recipient by **TAESOO KIM** for a fictitious diagnosis of myalgia and myositis, lumbago, spasm of muscle, and chronic pain syndrome.

PATTERN ACT #104

The defendants, **TAESOO KIM, HENRY SARDAR, and ERIC VAINER**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about May 24, 2013, in **Kings County**, stole property, specifically: \$37.41 from Medicaid.

PATTERN ACT #105

The defendants, **TAESOO KIM, HENRY SARDAR and ERIC VAINER**, committed the crime of **Attempted Petit Larceny** in violation of **Penal Law Sections 110 and 155.25**, as follows:

The defendants, acting in concert, on or about May 24, 2013, in **Kings County**, attempted to steal property, specifically: \$230 from Medicaid.

PATTERN ACT #106

The defendants, **TAESOO KIM, HENRY SARDAR, and ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about May 24, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 15 minute office visit that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with lumbago, myalgia and myositis, abnormality of gait and muscle spasm, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #107

The defendants, **TAESOO KIM, HENRY SARDAR and ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about May 24, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for physical therapy and therapeutic activities that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with thoracic or lumbosacral neuritis or radiculitis, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #108

The defendants, **TAESoon KIM**, **HENRY SARDAR**, and **ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about May 24, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1314900002525320, for payment for services provided on May 24, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a 15 minute office visit with the recipient by **TAESoon KIM** for a fictitious diagnosis of myalgia and myositis, lumbago, spasm of muscle, and abnormality of gait.

PATTERN ACT #109

The defendants, **HENRY SARDAR** and **ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about May 24, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and

otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1314900002525420 for payment for services provided on May 24, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely stated that the recipient required physical therapy for a fictitious diagnosis of thoracic or lumbosacral neuritis or radiculitis.

PATTERN ACT #110

The defendants, **HENRY SADAR, POLINA VAINER, MARINA VARGAS, KIRIL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about June 25, 2013, in **Kings County**, stole property, specifically: \$194 from Medicaid.

PATTERN ACT #111

The defendants, **HENRY SADAR and ERIC VAINER**, committed the crime of **Attempted Petit Larceny** in violation of **Penal Law Sections 110 and 155.25**, as follows:

The defendants, acting in concert, on or about June 25, 2013, in **Kings County**, attempted to steal property, specifically: \$230 from Medicaid.

PATTERN ACT #112

The defendants, **HENRY SADAR, POLINA VAINER, MARINA VARGAS, KIRIL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH**

MEDICAL SUPPLY, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about June 25, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for an ankle foot orthotic that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with Achilles bursitis or tendinitis filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #113

The defendants, **HENRY SADAR** and **ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about June 25, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for physical therapy and therapeutic activities that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with lumbago, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #114

The defendants, **HENRY SADAR**, **POLINA VAINER**, **MARINA VARGAS**, **KERIL SHAKHOV**, **ERIC VAINER**, and **T.W. CAPITAL CORP. DBA WEST 5TH**

MEDICAL SUPPLY, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about June 25, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1317700239910620 for payment for services provided on June 25, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely stated that the recipient required an ankle foot orthotic for a fictitious diagnosis of Achilles bursitis or tendinitis.

PATTERN ACT #115

The defendants, **HENRY SADAR** and ~~**ERIC VAINER**~~, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about June 25, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HENRY SARDAR** to Computer

Sciences Corporation, fiscal agent for the State of New York, claim reference number 1317700236729220 for payment for services provided on or about June 25, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely stated that the recipient required physical therapy for a fictitious diagnosis of lumbago.

PATTERN ACT #116

The defendants, **TAESOO KIM, HENRY SARDAR, and ERIC VAINER**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about June 28, 2013, in **Kings County**, stole property, specifically: \$37.41 from Medicaid.

PATTERN ACT #117

The defendants, **TAESOO KIM, HENRY SARDAR, and ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about June 28, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 15 minute office visit that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with myalgia and myositis, abnormality of gait, difficulty walking and muscle spasm, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #118

The defendants, **TAESoon KIM, HENRY SARDAR, and ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about June 28, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted **HENRY SARDAR** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1318300252373620 for payment for services provided on June 28, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a 15 minute office visit with the recipient by **TAESoon KIM** for a fictitious diagnosis of myalgia and myositis, spasm of muscle, abnormality of gait, and difficulty in walking.

PATTERN ACT #119

The defendants, **BERNARD RORIE, IGOR MARMULEVSKIY, SIMEON ISAACS, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and JOSEPH GROSSMAN**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about December 5, 2013, in **Kings County**, stole property, specifically: \$143.39 from Medicaid.

PATTERN ACT #120

The defendants, **BERNARD RORIE, IGOR MARMULEVSKIY, SIMEON ISAACS, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and JOSEPH GROSSMAN**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about December 5, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a duplex scan of lower extremity arteries or arterial bypass grafts, complete bilateral that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with atherosclerosis of native arteries of the extremities with rest pain, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #121

The defendants, **BERNARD RORIE, IGOR MARMULEVSKIY, SIMEON ISAACS, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and JOSEPH GROSSMAN**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about December 5, 2013, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to

a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **JOSEPH GROSSMAN** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1334500193680020 for payment for services provided on December 5, 2013, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely claimed a duplex scan of lower extremity arteries or arterial bypass grafts, complete bilateral study was medically necessary for a fictitious diagnosis of atherosclerosis of native arteries of the extremities with pain.

PATTERN ACT #122

The defendants, **IGOR MARMULEVSKIY, RENEE DENOBREGA, HERBERT MEADOW, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, and ERIC VAINER**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about March 19, 2014, in **Kings County**, stole property, specifically: \$83.74 from Medicaid.

PATTERN ACT #123

The defendants, **IGOR MARMULEVSKIY, RENEE DENOBREGA, HERBERT MEADOW, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, and ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about March 19, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the

commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a psychiatric diagnostic evaluation with medical services that falsely diagnosed Medicaid recipient, Client Identification Number PJ99310Q, with depressive disorder, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #124

The defendants, **IGOR MARMULEVSKIY, RENEE DENOBRAGA, HERBERT MEADOW, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, and ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about March 19, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **HERBERT MEADOW** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1409200000120020 for payment for services provided on March 19, 2014, for Medicaid recipient, Client Identification Number PJ99310Q, that the defendants knew falsely stated that **RENEE DENOBRAGA** performed a psychiatric diagnostic evaluation with medical services for the recipient for a fictitious diagnosis of depressive disorder.

PATTERN ACT #125

The defendants, **BERNARD RORIE, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, SIMEON ISAACS, BENNY OGOREK, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about March 11, 2014, in **Kings County**, stole property, specifically: \$216.37 from the Medicare program.

PATTERN ACT #126

The defendants, **BERNARD RORIE, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, SIMEON ISAACS, BENNY OGOREK, and ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about March 11, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 30 minute patient visit with the Medicare beneficiary associated with Medicare Identification Number 221-11-6099-A, filed with National Government Services, as fiscal agent for the Medicare program.

PATTERN ACT #127

The defendants, **BERNARD RORIE, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, SIMEON ISAACS, BENNY OGOREK, ERIC VAINER, and TW CAPITAL CORP. DBA WEST 5TH**

MEDICAL SUPPLY committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about March 11, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for an ankle foot orthotic that falsely diagnosed the Medicare beneficiary associated with Medicare Identification Number 221-11-6099-A with plantar fascial fibromatosis, filed with NHIC, Corp., as fiscal agent for the Medicare – DME program.

PATTERN ACT #128

The defendants, **BERNARD RORIE, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, SIMEON ISAACS, BENNY OGOREK**, and **ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about March 11, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **BENNY OGOREK** to National Government Services, fiscal agent for the Medicare program, claim reference number 751114073576640 for payment for services provided on March 11, 2014, for Medicare

beneficiary, Medicare Identification Number 221-11-6099-A, that the defendants knew falsely claimed a 30 minute office visit with the beneficiary by SIMEON ISAACS.

PATTERN ACT #129

The defendants, **BERNARD RORIE, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, SIMEON ISAACS, BENNY OGOREK, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about March 11, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP.**, to NHIC Corp., fiscal agent for the Medicare - DME program, claim reference number 751114073576640 for payment for services provided on March 11, 2014, for Medicare beneficiary, Medicare Identification Number 221-11-6099-A, that the defendants knew falsely claimed that the beneficiary required an ankle foot orthotic for a fictitious diagnosis of plantar fascial fibromatosis.

PATTERN ACT #130

The defendants, **BERNARD RORIE, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, SIMEON ISAACS, BENNY OGOREK, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH**

MEDICAL SUPPLY, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about March 19, 2014, in **Kings County**, stole property, specifically: \$256.62 from Medicare.

PATTERN ACT #131

The defendants, **BERNARD RORIE, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, SIMEON ISAACS, BENNY OGOREK, and ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about March 19, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 30 minute office visit and debridement of nails that falsely diagnosed the Medicare beneficiary associated with Medicare Identification Number 648-52-1323-A with dermatophytosis of nail and congenital pes planus, filed with National Government Services, as fiscal agent for Medicare.

PATTERN ACT #132

The defendants, **BERNARD RORIE, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, SIMEON ISAACS, BENNY OGOREK, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about March 19, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for an ankle foot orthotic that falsely diagnosed the Medicare beneficiary associated with Medicare Identification Number 648-52-1323-A with plantar fascial fibromatosis, filed with NHIC, Corp., as fiscal agent for the Medicare – DME program.

PATTERN ACT #133

The defendants, **BERNARD RORIE, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, SIMEON ISAACS, BENNY OGOREK**, and **ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about March 19, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **BENNY OGOREK** to National Government Services, fiscal agent for the Medicare program, claim reference number 751814083793150 for payment for services provided on March 19, 2014, for Medicare beneficiary, Medicare Identification Number 648-52-1323-A, that the defendants knew falsely claimed a 30 minute office visit with the beneficiary by **SIMEON ISAACS** and

debridement of 6 or more nails for a fictitious diagnosis of dermatophytosis of nail and congenital pes planus.

PATTERN ACT #134

The defendants, **BERNARD RORIE, IGOR MARMULEVSKIY, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, SIMEON ISAACS, BENNY OGOREK, ERIC VAINER** and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about March 19, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that the defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP.**, to NHIC, Corp., fiscal agent for the Medicare - DME program, claim reference number 14218707035000 for payment for services provided on March 19, 2014, for Medicare beneficiary, Medicare Identification Number 648-52-1323-A, that the defendants knew falsely claimed that the beneficiary required an ankle foot orthotic for a fictitious diagnosis of plantar fascial fibromatosis.

PATTERN ACT #135

The defendants, **DAVID GLASS, YELENA KORSUNSKAYA, BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER**, and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**,

committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about July 2, 2013, in **Kings County, Bronx County** and elsewhere, stole property, specifically: \$211.27 from Medicaid.

PATTERN ACT #136

The defendants, **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER**, and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about July 2, 2013, in **Kings County, Bronx County** and elsewhere, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for diabetic footwear (left) that falsely diagnosed Medicaid recipient Client Identification Number SA52312K with diabetes-with-neurological manifestation, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #137

The defendants, **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER**, and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about July 2, 2013, in **Kings County, Bronx County** and elsewhere, with intent to defraud, including an intent to commit

another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for diabetic footwear (right) that falsely diagnosed Medicaid recipient Client Identification Number SA52312K with diabetes with neurological manifestation, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #138

The defendants, **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about July 2, 2013, in **Kings County, Bronx County** and elsewhere, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a direct formed custom insert (left) that falsely diagnosed Medicaid recipient Client Identification Number SA52312K with diabetes with neurological manifestation, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #139

The defendants, **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about July 2, 2013, in **Kings County, Bronx County** and elsewhere, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a direct formed custom insert (right) that falsely diagnosed Medicaid recipient Client Identification Number SA52312K with diabetes with neurological manifestation, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #140

The defendants, **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about July 2, 2013, in **Kings County, Bronx County** and elsewhere, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1325400000427320 for payment for services provided on July 2, 2013, for Medicaid recipient, Client Identification Number SA52312K, that the defendants knew falsely

stated that the recipient required footwear (left) for a fictitious diagnosis of diabetes with neurological manifestation.

PATTERN ACT #141

The defendants, **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about July 2, 2013, in **Kings County, Bronx County** and elsewhere, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1325400000427520 for payment for services provided on July 2, 2013, for Medicaid recipient, Client Identification Number SA52312K, that the defendants knew falsely stated that the recipient required footwear (right) for a fictitious diagnosis of diabetes with neurological manifestation.

PATTERN ACT #142

The defendants, **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST**

5TH MEDICAL SUPPLY, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about July 2, 2013, in **Kings County, Bronx County** and elsewhere, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1325400000427220 for payment for services provided on July 2, 2013, for Medicaid recipient, Client Identification Number SA52312K, that the defendants knew falsely stated that the recipient required a custom insert (left) for a fictitious diagnosis of diabetes with neurological manifestation.

PATTERN ACT #143

The defendants, **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER**, and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about July 2, 2013, in **Kings County, Bronx County** and elsewhere, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be

filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for T.W. **CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1325400000427420 for payment for services provided on July 2, 2013, for Medicaid recipient, Client Identification Number SA52312K, that the defendants knew falsely stated that the recipient required a custom insert (right) for a fictitious diagnosis of diabetes with neurological manifestation.

PATTERN ACT #144

The defendants, **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV**, and **ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about July 2, 2013, in **Kings County, Bronx County** and elsewhere, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 30 minute new patient office visit and debridement of nails that falsely diagnosed Medicaid recipient Client Identification Number SA52312K with diabetes with neurological manifestation, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #145

The defendants, **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, and ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about July 2, 2013, in **Kings County, Bronx County** and elsewhere, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **BENNY OGOREK** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1318600231070120 for payment for services provided on July 2, 2013, for Medicaid recipient, Client Identification Number SA52312K, that the defendants knew falsely claimed a 30 minute office visit by **BENNY OGOREK** and that the recipient required debridement of nails for a fictitious diagnosis of diabetes with neurological manifestation.

PATTERN ACT #146

The defendants, **DAVID GLASS, YELENA KORSUNSKAYA, and ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about July 2, 2013, in **Kings County, Bronx County** and elsewhere, with intent to defraud, including an intent to commit

another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 30 minute new patient office visit that falsely diagnosed Medicaid recipient Client Identification Number SA52312K with swelling of limb, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #147

The defendants, **DAVID GLASS, YELENA KORSUNSKAYA, and ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about July 2, 2013, in **Kings County, Bronx County** and elsewhere, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **DAVID GLASS** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1325300179054320 for payment for services provided on July 2, 2013, for Medicaid recipient, Client Identification Number SA52312K, that the defendants knew falsely claimed a 30 minute office visit by **DAVID GLASS** spent with the recipient for a fictitious diagnosis of swelling of limb.

PATTERN ACT #148

The defendants, **DAVID GLASS, YELENA KORSUNSKAYA, JOSEPH GROSSMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV,**

ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY, committed the crime of Petit Larceny in violation of Penal Law Section 155.25, as follows:

The defendants, acting in concert, on or about July 9, 2014, in **Kings County**, stole property, specifically: \$514.96 from Medicaid.

PATTERN ACT #149

The defendants, **POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about July 9, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for orthopedic footwear (left) that falsely diagnosed Medicaid recipient Client Identification Number MA20711N with other hammer toe, acquired, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #150

The defendants, **POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about July 9, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for orthopedic footwear (right) that falsely diagnosed Medicaid recipient Client Identification Number MA20711N with other hammer toe, acquired, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #151

The defendants, **POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about July 9, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a removable custom insert (left) that falsely diagnosed MA20711N with other hammer toe, acquired, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #152

The defendants, **POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about July 9, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a removable custom insert (right) that falsely diagnosed Medicaid recipient MA20711N with other hammer toe, acquired, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #153

The defendants, **POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about July 9, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1420300000843520 for payment for services provided on July 9, 2014, for Medicaid recipient, Client Identification Number MA20711N, that the defendants knew falsely stated that the recipient required orthopedic footwear (left) for a fictitious diagnosis of hammertoe.

PATTERN ACT #154

The defendants, **POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about July 9, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1420300000843720 for payment for services provided on July 9, 2014, for Medicaid recipient, Client Identification Number MA20711N, that the defendants knew falsely stated that the recipient required orthopedic footwear (right) for a fictitious diagnosis of hammertoe.

PATTERN ACT #155

The defendants, **POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about July 9, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and

with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1420300000843620 for payment for services provided on July 9, 2014, for Medicaid recipient, Client Identification Number MA20711N, that the defendants knew falsely stated that the recipient required a removable insert (left) for a fictitious diagnosis of hammertoe.

PATTERN ACT #156

The defendants, **POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER**, and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about July 9, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1424100155430420 for payment for services provided on July 9, 2014, for Medicaid recipient, Client Identification Number

MA20711N, that the defendants knew falsely stated that the recipient required a removable insert (right) for a fictitious diagnosis of hammertoe.

PATTERN ACT #157

The defendants, **JOSEPH GROSSMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV**, and **ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about July 9, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a duplex scan of lower extremity arteries or arterial bypass grafts that falsely diagnosed Medicaid recipient Client Identification Number MA20711N with atherosclerosis of native arteries, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #158

The defendants, **JOSEPH GROSSMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV**, and **ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about July 9, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and

otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **JOSEPH GROSSMAN** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1423800196902820 for payment for services provided on July 9, 2014, for Medicaid recipient, Client Identification Number MA20711N, that the defendants knew falsely stated that the recipient required a duplex scan of lower extremity arteries or arterial bypass grafts for a fictitious diagnosis of atherosclerosis of native arteries.

PATTERN ACT #159

The defendants, **DAVID GLASS, YELENA KORSUNSKAYA, and ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about July 9, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a duplex scan of extremity veins that falsely diagnosed Medicaid recipient Client Identification Number MA20711N with phlebitis and thrombophlebitis, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #160

The defendants, **DAVID GLASS, YELENA KORSUNSKAYA, and ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about July 9, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **DAVID GLASS** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1426500173875720 for payment for services provided on July 9, 2014, for Medicaid recipient, Client Identification Number MA20711N that the defendants knew falsely stated that the recipient required a duplex scan of extremity veins for a fictitious diagnosis of phlebitis and thrombophlebitis.

PATTERN ACT #161

The defendants, **DAVID GLASS, YELENA KORSUNSKAYA, JOSEPH GROSSMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about January 16, 2014, in **Kings County**, stole property, specifically: \$533.28 from Medicaid.

PATTERN ACT #162

The defendants, **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST**

5TH MEDICAL SUPPLY, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about January 16, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for orthopedic footwear (left) that falsely diagnosed Medicaid recipient Client Identification Number TT88566B with unspecified enthesopathy of ankle and tarsus, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #163

The defendants, **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER**, and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about January 16, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for orthopedic footwear (right) that falsely diagnosed Medicaid recipient Client Identification Number TT88566B with unspecified enthesopathy of ankle and tarsus, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #164

The defendants, **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about January 16, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a custom insert (left) that falsely diagnosed Medicaid recipient Client Identification Number TT88566B with unspecified enthesopathy of ankle and tarsus, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #165

The defendants, **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about January 16, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a custom insert (right) that falsely diagnosed Medicaid recipient Client Identification Number TT88566B with unspecified

enthesopathy of ankle and tarsus, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #166

The defendants, **JOSEPH GROSSMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about January 16, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a complete duplex scan of lower extremity arteries that falsely diagnosed Medicaid recipient Client Identification Number TT88566B with atherosclerosis of arteries, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #167

The defendants, **DAVID GLASS, YELENA KORSUNSKAYA, and ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about January 16, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a complete duplex scan of extremity veins that falsely diagnosed Medicaid recipient Client Identification Number

TT88566B with phlebitis and thrombophlebitis, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program

PATTERN ACT #168

The defendants, **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about January 16, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1402800008014420 for payment for services provided on January 16, 2014 for Medicaid recipient, Client Identification Number TT88566B, that the defendants knew falsely stated that the recipient required a foot insert (left) for a fictitious diagnosis of unspecified enthesopathy of ankle and tarsus.

PATTERN ACT #169

The defendants, **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about January 16, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1402800008014320 for payment for services provided on January 16, 2014 for Medicaid recipient, Client Identification Number TT88566B, that the defendants knew falsely stated that the recipient required a foot insert (right) for a fictitious diagnosis of unspecified enthesopathy of ankle and tarsus.

PATTERN ACT #170

The defendants, **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER**, and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about January 16, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP.**

DBA WEST 5TH MEDICAL SUPPLY to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1402800008014920 for payment for services provided on January 16, 2014 for Medicaid recipient, Client Identification Number TT88566B, that the defendants knew falsely stated that the recipient required orthopedic footwear (left) for a fictitious diagnosis of unspecified enthesopathy of ankle and tarsus.

PATTERN ACT #171

The defendants, **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, and T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about January 16, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1402800008014220 for payment for services provided on January 16, 2014 for Medicaid recipient, Client Identification Number TT88566B, that the defendants knew falsely stated that the recipient required orthopedic footwear (right) for a fictitious diagnosis of unspecified enthesopathy of ankle and tarsus.

PATTERN ACT #172

The defendants, **JOSEPH GROSSMAN, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, and ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about January 16, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **JOSEPH GROSSMAN** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1402800168181320 for payment for services provided on January 16, 2014 for Medicaid recipient, Client Identification Number TT88566B, that the defendants knew falsely stated that the recipient required a complete duplex scan of lower extremity arteries for a fictitious diagnosis of atherosclerosis of arteries, filed with Computer Sciences Corporation, as fiscal agent for the Medicaid program.

PATTERN ACT #173

The defendants, **DAVID GLASS, YELENA KORSUNSKAYA, and ERIC VAINER**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about January 16, 2014, in **Kings County**, knowing that a written instrument contained a false statement and false

information, and with intent to defraud the State of New York, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office in that defendants submitted and caused to be submitted a claim for **DAVID GLASS** to Computer Sciences Corporation, fiscal agent for the State of New York, claim reference number 1403400176344320 for payment for services provided on January 16, 2014, for Medicaid recipient, Client Identification Number TT88566B, that the defendants knew falsely stated that the recipient required a duplex scan of extremity veins for a fictitious diagnosis of phlebitis and thrombophlebitis.

PATTERN ACT #174

The defendants, **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, DAVID GLASS, YELENA KORSUNSKAYA, and ERIC VAINER**, committed the crime of Petit Larceny in violation of Penal Law Section 155.25, as follows:

The defendants, acting in concert, on or about July 23, 2014, in **Kings County**, attempted to steal property, specifically: \$217.99 from MetroPlus Health Plan, Inc.

PATTERN ACT #175

The defendants, **BENNY OGOREK, POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, and ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of Penal Law Section 175.10, as follows:

The defendants, acting in concert, on or about July 23, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the

commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for debridement of nails, paring or cutting two to four callouses or corns, and a 15 minute office visit that falsely diagnosed Medicaid recipient Client Identification Number TT88566B with corns and callouses, filed with MetroPlus Health Plan, Inc.

PATTERN ACT #176

The defendants, **DAVID GLASS, YELENA KORSUNSKAYA, and ERIC VAINER**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about July 23, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for complete bilateral noninvasive physiologic studies of extremity arteries, three or more levels, that falsely diagnosed Medicaid recipient Client Identification Number TT88566B with atherosclerosis of native arteries, filed with MetroPlus Health Plan, Inc.

PATTERN ACT #177

The defendants, **ERIC VAINER, ABDUL Q. MALIK, and BENNY OGOREK**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about July 16, 2014, in **Kings County** and **Bronx County**, stole property, specifically: \$292.15 from Medicare.

PATTERN ACT #178

The defendants, **ERIC VAINER, ABDUL Q. MALIK, and BENNY OGOREK**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about July 16, 2014, in **Kings County** and **Bronx County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a non-invasive physiological study of extremity veins complete bilateral studies, duplex scan extremity veins with complete bilateral studies that falsely diagnosed the Medicare beneficiary associated with Medicare identification number 044381213A with swelling of limb, filed with National Government Services, as fiscal agent for the Medicare program.

PATTERN ACT #179

The defendants, **ERIC VAINER, ABDUL Q. MALIK, and BENNY OGOREK**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about July 16, 2014, in **Kings County** and **Bronx County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the Medicare program, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, submitted and caused to be submitted a claim for **ABDUL Q. MALIK** to National Government Services, as fiscal agent for the Medicare program, claim reference number

751914204006920 for payment for services that they falsely claim were provided on July 16, 2014, to the Medicare beneficiary associated with Medicare identification number 044381213A, that the defendants knew falsely stated the client required a non-invasive physiological study of extremity veins complete bilateral studies, duplex scan extremity veins with complete bilateral studies for a fictitious diagnosis of swelling of limb.

PATTERN ACT #180

The defendants, **ERIC VAINER, ABDUL Q. MALIK, and BENNY OGOREK**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about July 17, 2014, in **Kings County** and **Bronx County**, stole property, specifically: \$217.62 from Medicare.

PATTERN ACT #181

The defendants, **ERIC VAINER, ABDUL Q. MALIK, and BENNY OGOREK**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about July 17, 2014, in **Kings County** and **Bronx County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a duplex scan of lower extremity arteries or arterial bypass grafts, complete bilateral studies that falsely diagnosed the Medicare beneficiary associated with Medicare identification number 044381213A with atherosclerosis of native arteries of the extremities with intermittent

claudication, filed with National Government Services, as fiscal agent for the Medicare program.

PATTERN ACT #182

The defendants, **ERIC VAINER, ABDUL Q. MALIK, and BENNY OGOREK**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about July 17, 2014, in **Kings County** and **Bronx County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the Medicare program, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, submitted and caused to be submitted a claim for **ABDUL Q. MALIK** to National Government Services, as fiscal agent for the Medicare program, claim reference number 751914204007010 for payment for services that they falsely claim were provided on July 17, 2014, to the Medicare beneficiary associated with Medicare identification number 044381213A, that the defendants knew falsely stated the client required a duplex scan of lower extremity arteries or arterial bypass grafts, complete bilateral studies for a fictitious diagnosis of atherosclerosis of native arteries of the extremities with intermittent claudication.

PATTERN ACT #183

The defendants, **POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, DAVID GLASS, YELENA KORSUNSKAYA, ABDUL Q. MALIK, SIMEONE ISAACS, BENNY OGOREK, and T.W. CAPITAL**

CORP. DBA WEST 5TH MEDICAL SUPPLY, committed the crime of **Grand Larceny in the Fourth Degree** in violation of **Penal Law Section 155.30**, as follows:

The defendants, acting in concert, on or about April 23, 2014, in **Kings County** and **Bronx County**, stole property, specifically: \$1,029.08 from Medicare.

PATTERN ACT #184

The defendants, **POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, BENNY OGOREK**, and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about April 23, 2014, in **Kings County** and **Bronx County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for an ankle foot orthotic that falsely diagnosed the Medicare beneficiary associated with Medicare identification number 119342566A with plantar fascial fibromatosis filed with NHIC Corp., as fiscal agent for the Medicare -DME program.

PATTERN ACT #185

The defendants, **POLINA VAINER, MARINA VARGAS, KIRILL SHAKHOV, ERIC VAINER, BENNY OGOREK**, and **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about April 23, 2014, in **Kings County** and **Bronx County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the Medicare program, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, submitted and caused to be submitted a claim for **T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY** to NHIC Corp., fiscal agent for the Medicare program-DME, claim reference number 14191707323000 for payment for services that they falsely claim were provided on April 23, 2014, to the Medicare beneficiary associated with Medicare identification number 119342566A, that the defendants knew falsely stated the client required an ankle foot orthotic for a fictitious diagnosis of plantar fibromatosis.

PATTERN ACT #186

The defendants, **ERIC VAINER, DAVID GLASS, and YELENA KORSUNSKAYA**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about April 23, 2014, in **Kings County** and **Bronx County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a duplex scan of extremity veins, complete bilateral studies, that falsely diagnosed the Medicare beneficiary associated with Medicare identification number 119342566A with unspecified backache and reflex sympathetic dystrophy and disturbance of skin sensation

and polyneuropathy in diabetes filed with National Government Services, as fiscal agent for the Medicare program.

PATTERN ACT #187

The defendants, **ERIC VAINER, DAVID GLASS, and YELENA KORSUNSKAYA**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about April 23, 2014, in **Kings County and Bronx County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the Medicare program, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, submitted and caused to be submitted a claim for **DAVID GLASS** to National Government Services, as fiscal agent for the Medicare program, claim reference number 751914205002990 for payment for services that they falsely claim were provided on April 23, 2014, to the Medicare beneficiary associated with Medicare identification number 119342566A, that the defendants knew falsely stated the beneficiary required a duplex scan of extremity veins, complete bilateral studies, for a fictitious diagnosis of unspecified backache and reflex sympathetic dystrophy and disturbance of skin sensation and polyneuropathy in diabetes.

PATTERN ACT #188

The defendants, **ERIC VAINER, SIMEONE ISAACS, DAVID GLASS, and YELENA KORSUNSKAYA**, committed the crime of **Attempted Grand Larceny in the Fourth Degree** in violation of **Penal Law Sections 110 and 155.30**, as follows:

The defendants, acting in concert, on or about April 24, 2014, in **Kings County** and **Bronx County**, attempted to steal property, specifically: \$1,000.00 from Medicare.

PATTERN ACT #189

The defendants, **ERIC VAINER, SIMEONE ISAACS, DAVID GLASS, and YELENA KORSUNSKAYA**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about April 24, 2014, in **Kings County** and **Bronx County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a duplex scan of lower extremity arteries or arterial bypass grafts, complete bilateral studies, that falsely diagnosed the Medicare beneficiary associated with Medicare identification number 119342566A with unspecified backache and reflex sympathetic dystrophy and disturbance of skin sensation and polyneuropathy in diabetes filed with National Government Services, as fiscal agent for the Medicare program.

PATTERN ACT #190

The defendants, **ERIC VAINER, SIMEONE ISAACS, DAVID GLASS, and YELENA KORSUNSKAYA**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about April 24, 2014, in **Kings County** and **Bronx County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the Medicare program, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered

and recorded in, and otherwise become a part of the records of such public office, submitted and caused to be submitted a claim for **DAVID GLASS** to National Government Services, as fiscal agent for the Medicare program, claim reference number 751114139722340 for payment for services that they falsely claim were provided on April 24, 2014, to the Medicare beneficiary associated with Medicare identification number 119342566A, that the defendants knew falsely stated the beneficiary required a duplex scan of lower extremity arteries or arterial bypass grafts, complete bilateral, for a fictitious diagnosis of unspecified backache and reflex sympathetic dystrophy and disturbance of skin sensation and polyneuropathy in diabetes.

PATTERN ACT #191

The defendants, **ERIC VAINER, BENNY OGOREK, and ABDUL Q. MALIK**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about April 23, 2014, in **Kings County and Bronx County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for testing of autonomic nervous system function; sudomotor and non-invasive physiological studies of extremity veins complete bilateral studies, that falsely diagnosed the Medicare beneficiary associated with Medicare identification number 119342566A with pain in limb filed with National Government Services, as fiscal agent for the Medicare program.

PATTERN ACT #192

The defendants, **ERIC VAINER, BENNY OGOREK, and ABDUL Q. MALIK**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about April 23, 2014, in **Kings County** and **Bronx County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the Medicare program, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, submitted and caused to be submitted a claim for **ABDUL Q. MALIK** to National Government Services, as fiscal agent for the Medicare program, claim reference number 751814121051370 for payment for services that they falsely claim were provided on April 23, 2014, to the Medicare beneficiary associated with Medicare identification number 119342566A, that the defendants knew falsely stated the beneficiary required testing of autonomic nervous system function; sudomotor and non-invasive physiological studies of extremity veins complete bilateral studies, for a fictitious diagnosis of pain in limb.

PATTERN ACT #193

The defendants, **ERIC VAINER, BENNY OGOREK, and ABDUL Q. MALIK**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about April 23, 2014, in **Kings County** and **Bronx County**, with intent to defraud, including an intent to commit another crime

and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for testing of autonomic nervous system function; sudomotor, that falsely diagnosed the Medicare beneficiary associated with Medicare identification number 119342566A with atherosclerosis of native arteries of the extremities with intermittent claudication, filed with National Government Services, as fiscal agent for the Medicare program.

PATTERN ACT #194

The defendants, **ERIC VAINER, BENNY OGOREK, and ABDUL Q. MALIK**, committed the crime of **Offering a False Instrument for Filing in the First Degree**, in violation of **Penal Law Section 175.35**, as follows:

The defendants, acting in concert, on or about April 23, 2014, in **Kings County** and **Bronx County**, knowing that a written instrument contained a false statement and false information, and with intent to defraud the Medicare program, offered and presented it to a public office with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, submitted and caused to be submitted a claim for **ABDUL Q. MALIK** to National Government Services, as fiscal agent for the Medicare program, claim reference number 751814121051400 for payment for services that they falsely claim were provided on April 23, 2014, to the Medicare beneficiary associated with Medicare identification number 119342566A, that the defendants knew falsely stated the beneficiary required testing of autonomic nervous system function; sudomotor, for a fictitious diagnosis of atherosclerosis of native arteries of the extremities with intermittent claudication.

PATTERN ACT #195

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULVESKIY, ERIC VAINER** and **NEEMAN GHUMAN**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about February 20, 2013, August 25, 2014, and September 27, 2014, in **Kings County**, stole property, specifically: \$175.62 from Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

PATTERN ACT #196

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULVESKIY, ERIC VAINER** and **NEEMAN GHUMAN**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about February 20, 2013 and August 25, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, claim form 1147316579 for an ankle foot orthosis and a 30 minute office visit that falsely diagnosed Medicaid managed health care recipient Client Identification Number 006626200 with pain in joint, ankle and foot, and traumatic arthropathy, ankle, filed with Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

PATTERN ACT #197

The defendants, **ERIC VAINER** and **ABDUL Q. MALIK**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about July 9, 2013, in **Kings County**, stole property, specifically: \$320.41 from Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

PATTERN ACT #198

The defendants, **ERIC VAINER** and **ABDUL Q. MALIK**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about July 9, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a duplex scan of extremity veins and non-invasive physiologic studies of extremity veins, complete bilateral study, that falsely diagnosed Medicaid managed health care recipient, Client Identification Number 006626200, with pain in soft tissue of limb, filed with Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

PATTERN ACT #199

The defendants, **BERNARD RORIE**, **MELISSA GONZALEZ**, **IGOR MARMULVESKIY**, **ERIC VAINER**, and **NEEMAN GHUMAN**, committed the crime of **Attempted Petit Larceny** in violation of **Penal Law Sections 110 and 155.25**, as follows:

The defendants, acting in concert, on or about July 12, 2013, September 5, 2013, and September 7, 2013, in **Kings County**, attempted to steal property, specifically: \$127.00 from Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

PATTERN ACT #200

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULVESKIY, ERIC VAINER** and **ABDUL Q. MALIK**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about July 12, 2013, in **Kings County**, stole property, specifically: \$196.20 from Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

PATTERN ACT #201

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULVESKIY, ERIC VAINER**, and **NEEMAN GHUMAN**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about July 12, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a 20 minute office visit that falsely diagnosed Medicaid managed health care recipient Client Identification Number 006626200 with dermatophytosis of nail filed with Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

PATTERN ACT #202

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULVESKIY, ERIC VAINER, and ABDUL Q. MALIK**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about July 12, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a duplex scan of lower extremity that falsely diagnosed Medicaid managed health care recipient, Client Identification Number 006626200, with atherosclerosis of the extremities with rest pain, filed with Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

PATTERN ACT #203

The defendants, **ERIC VAINER and ABDUL Q. MALIK**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about July 15, 2013, in **Kings County**, stole property, specifically: \$186.90 from Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

PATTERN ACT #204

The defendants, **ERIC VAINER and ABDUL Q. MALIK**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about July 15, 2013, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, a claim form for a non-invasive physiologic study that falsely diagnosed Medicaid managed health care recipient, Client Identification Number 006626200, with atherosclerosis of the extremities with rest pain, filed with Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

PATTERN ACT #205

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULVESKIY, ERIC VAINER, JOSEPH GROSSMAN, BENNY OGOREK, POLINA VAINER, KIRILL SHAKHOV, MARINA VARGAS, DAVID GLASS** and **YELENA KORSUNSKAYA**, committed the crime of **Petit Larceny** in violation of **Penal Law Section 155.25**, as follows:

The defendants, acting in concert, on or about June 30, 2014, in **Kings County**, stole property, specifically: \$617.92 from Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

PATTERN ACT #206

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULVESKIY, ERIC VAINER, POLINA VAINER, KIRILL SHAKHOV, MARINA VARGAS**, and **BENNY OGOREK**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about June 30, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, claim form 1207464504 for a 15 minute office visit that falsely diagnosed Medicaid managed health care recipient Client Identification Number 718477092 with hammer toe and talipes cavus filed with Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

PATTERN ACT #207

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULVESKIY, ERIC VAINER, POLINA VAINER, KIRILL SHAKHOV, MARINA VARGAS, and JOSEPH GROSSMAN**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about June 30, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, claim form 1209322560 for an electrocardiogram, collection of venous blood and a 30 minute office visit that falsely diagnosed Medicaid managed health care recipient Client Identification Number 718477092 with unspecified essential hypertension and palpitations filed with Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

PATTERN ACT #208

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULVESKIY, ERIC VAINER, POLINA VAINER, KIRILL SHAKHOV, MARINA VARGAS, and JOSEPH GROSSMAN**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about June 30, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, claim form 1213856895 for a transthoracic echocardiography that falsely diagnosed Medicaid managed health care recipient Client Identification Number 718477092 with palpitations filed with Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

PATTERN ACT #209

The defendants, **BERNARD RORIE, MELISSA GONZALEZ, IGOR MARMULVESKIY, ERIC VAINER, DAVID GLASS and YELENA KORSUNSKAYA**, committed the crime of **Falsifying Business Records in the First Degree**, in violation of **Penal Law Section 175.10**, as follows:

The defendants, acting in concert, on or about June 30, 2014, in **Kings County**, with intent to defraud, including an intent to commit another crime and to conceal the commission thereof, made and caused to be made a false entry in the business records of an enterprise, specifically, claim form 1211778019 for a complete bilateral noninvasive artery test that falsely diagnosed Medicaid managed health care recipient Client

Identification Number 718477092 with atherosclerosis of native arteries of the extremities filed with Amerigroup New York, LLC dba Amerigroup Community Care dba HealthPlus, an Amerigroup Company.

PATTERN ACT #210

The defendants, ERIC VAINER, POLINA VAINER, IGOR MARMULEVSKIY, MELISSA GONZALEZ, SHAWN MAYO, KIRILL SHAKHOV, MARINA VARGAS, HENRY SARDAR, SUSAN NUTAKOR-DOH, TAESOO KIM, HODA ABDELAZIZ, DAVID GLASS, YELENA KORSUNSKAYA, BENNY OGOREK, AVIA JACKSON, SIMEON ISAACS, NEEMAN GHUMAN, HERBERT MEADOW, MATTHEW JORDAN, RENEE DENOBERGA, JOSEPH GROSSMAN, BERNARD RORIE, ASSIST MEDICAL SUPPLIES, CORP., T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY, NED MGMT. CORP., NYC PODIATRY P.C., COMMUNITY MEDICAL DISORDER P.C., HYLAN BOULEVARD PHYSICAL MEDICINE AND REHABILITATION, PLLC, TREATING PHYSICIAN MEDICAL CARE P.C., and THE CENTER FOR SURGERY DBA NEW YORK VEIN CENTER, LLC, violated Social Services Law Section 366-b as follows:

The defendants, acting in concert, from on or about October 1, 2012 to on or about September 30, 2014, in the County of Kings and elsewhere, with intent to defraud, presented for allowance and payment false and fraudulent claims for furnishing services and merchandise.

PATTERN ACT #211

The defendants, ERIC VAINER, POLINA VAINER, IGOR MARMULEVSKIY, MELISSA GONZALEZ, SHAWN MAYO, KIRILL SHAKHOV, MARINA VARGAS, HENRY SARDAR, SUSAN NUTAKOR-DOH, TAESOO KIM, HODA ABDELAZIZ, DAVID GLASS, YELENA KORSUNSKAYA, BENNY OGOREK, AVIA JACKSON, SIMEON ISAACS, NEEMAN GHUMAN, HERBERT MEADOW, MATTHEW JORDAN, RENEE DENOBREGA, JOSEPH GROSSMAN, BERNARD RORIE, ASSIST MEDICAL SUPPLIES, CORP., T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY, NED MGMT. CORP., NYC PODIATRY P.C., COMMUNITY MEDICAL DISORDER P.C., HYLAN BOULEVARD PHYSICAL MEDICINE AND REHABILITATION, PLLC, TREATING PHYSICIAN MEDICAL CARE P.C., and THE CENTER FOR SURGERY DBA NEW YORK VEIN CENTER, LLC, violated Social Services Law Section 366-d as follows:

The defendants, acting in concert, from on or about October 1, 2012 to on or about September 30, 2014, in the County of Kings and elsewhere, as medical assistance providers, offered, agreed to give and gave payment and other consideration in any form to another person to the extent such payment and other consideration was given for the referral of services for which payment was made under title eleven of article five of the Social Services Law, also known as the New York State Medicaid Program.

PATTERN ACT #212

The defendants, ERIC VAINER, POLINA VAINER, HENRY SARDAR, DAVID GLASS, BENNY OGOREK, NEEMAN GHUMAN, HERBERT

MEADOW, JOSEPH GROSSMAN, ASSIST MEDICAL SUPPLIES, CORP., T.W. CAPITAL CORP. DBA WEST 5TH MEDICAL SUPPLY, NED MGMT. CORP., NYC PODIATRY P.C., COMMUNITY MEDICAL DISORDER P.C., HYLAN BOULEVARD PHYSICAL MEDICINE AND REHABILITATION, PLLC, TREATING PHYSICIAN MEDICAL CARE P.C., and THE CENTER FOR SURGERY DBA NEW YORK VEIN CENTER, LLC, committed the crime of Money Laundering in the First Degree, in violation of Penal Law Section 470.20(1)(b)(ii)(A)(iii), as follows:

The defendants, acting in concert, individually and as high managerial agents acting within the scope of their employment and on behalf of corporate defendants, from on or about October 1, 2012 to on or about September 30, 2014, in the County of Kings and elsewhere, knowing that property, namely money, involved in one or more financial transactions represented the proceeds of Health Care Fraud in the First Degree and Enterprise Corruption, both class B felonies, conducted such financial transactions which in fact involved the proceeds of those felonies, knowing that the transactions in whole and in part were designed to conceal and disguise the nature, location, source, ownership and control of the proceeds of specified criminal conduct, and the total value of the property involved in such financial transaction and transactions exceeded one million dollars.

PATTERN ACT #213

Defendants, ERIC VAINER, POLINA VAINER, HENRY SARDAR, DAVID GLASS, BENNY OGOREK, NEEMAN GHUMAN, HERBERT MEADOW, JOSEPH GROSSMAN, ASSIST MEDICAL SUPPLIES, CORP., T.W. CAPITAL